Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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| In the Matter of | ) | |
| | ) | |
| Petition of Qwest Corporation for | ) | WC Docket No. 04-223 |
| Forbearance Pursuant to 47 U.S.C. | ) | |
| § 160(c) in the Omaha Metropolitan | ) | |
| Statistical Area | ) | |
| | ) | |

**DECLARATION OF MARK J. LANCASTER**
**AND DALE C. MORGENSTERN**
**ON BEHALF OF AT&T CORP.**

## I. QUALIFICATIONS

1. **Mark J. Lancaster.** My name is Mark J. Lancaster. My business address is 1111 Main Street, Kansas City, Missouri 64105. I am employed by AT&T as a Technical Specialist in the AT&T Labs organization. My primary responsibilities are to provide strategic network planning expertise to internal AT&T clients on numbering issues, and to work with state and federal regulatory commissions and industry representatives to encourage competitive opportunities for AT&T in the provision of telecommunications service.

2. My career with AT&T began in 1979, when I was hired by Southwestern Bell Telephone Company as a Service Consultant in the Marketing organization. I worked extensively with plant, engineering, accounting, and the business office in support of sales to customers in the utilities and data processing industry. In 1982, I accepted a position in AT&T's Long Lines Engineering organization. I

held various positions in AT&T, including Engineering Systems Design, Switch Planning, and Material Management. In 1990, I accepted a position in State Government Affairs developing Network and Access costs in support of AT&T's intrastate service filings. My duties also included analysis, intervention, and negotiations related to local exchange company service filings. In 1993, I joined the Access Management organization and worked in all phases of access rate design and intervention, primarily in Arkansas, Kansas, and Missouri. I accepted my current position in 1996.

3. **Dale C. Morgenstern**. My name is Dale C. Morgenstern. My business address is 1 AT&T Way, Bedminster, New Jersey 07921. I am employed by AT&T as Group Manager – Numbering, Routing & 911 Planning. Since January 1999, I have been responsible for numbering and 911 planning and implementation for various AT&T network services and for AT&T's internal test network. My 911 responsibilities focus on ensuring that AT&T's internal network is in compliance with state and local regulatory requirements.

4. I began my career with AT&T in 1976 in the company's Network Service Distribution organization. From 1976 to 1981, I was employed in the Circuit Administration and Transmission Engineering departments of that organization and was involved in designing and implementing performance measurement plans for transmission and trunk administration. In 1981, I began a rotational assignment in AT&T's New York Telephone unit. From 1984 to 1988, I was employed in the Network Service Field Support and Technical Regulatory Planning departments of AT&T's Network Operations organization, where my

responsibilities included the development of dialing and routing plans for "National Security-Emergency Preparedness" government networks. In 1988, I moved to AT&T's Consumer Communications Services unit, where I held a succession of jobs in the New Business Development, Consumer Information Management, and Consumer Video Services departments. From 1994 until I accepted my current job in January 1999, I was employed in AT&T's Customer Connectivity organization, where my responsibilities included operations planning and implementation for AT&T Customer Network Service Centers as well as number administration and local number portability implementation.

## II. INTRODUCTION AND SUMMARY

5. The purpose of this declaration is to rebut the contention in this proceeding by Qwest Corporation ("Qwest") that the listings of telephone numbers in Enhanced 911 ("E911") databases are a reliable source from which to determine the number of business lines currently served by CLECs using their own facilities. Although the volume of numbers in use by any one carrier's customers may suggest competitive entry, its relationship to the service provided and the facilities used to provide such service is, at best, tenuous.

## III. ANALYSIS

6. The sole purpose of including telephone numbers in the E911 database is to ensure proper emergency response for 911 users. The methods and procedures used by each carrier and the industry guidelines for database population both are designed strictly for the limited (albeit important) purpose of facilitating accurate identification of a caller. Therefore, to the extent these databases are maintained

with scrupulous care, it is to promote effective emergency response, not to catalogue correctly the number of telephone lines provided by any one carrier or the facilities they use in providing such service.

7. E911 databases serve as the foundation for the provision of emergency services. When a customer dials 911, the call is directly routed to the Public Safety Answering Point ("PSAP") charged with responding to emergency calls within the area where the customer is located. When the PSAP receives a call, the call is accompanied by Automatic Location Identification ("ALI") that provides the caller's telephone number, the address or location of the telephone the caller is using, and supplemental emergency services information. This information is maintained by the ALI Database Management Systems Provider, and it is accessed by PSAPs in order to enable them to link the caller's telephone number with the information maintained in the database. Although the ILECs originally served as ALI Database providers and therefore had control of the databases, more recently this function has been provided by third-party vendors, who allow individual carriers to make their own judgments on database population.

8. The National Emergency Number Association ("NENA"), an organization that includes industry experts from both the public and private sectors, defines standard practices to ensure the compatibility of 911 technologies and increase the effectiveness of 911 systems. NENA's standards reflect industry consensus and provide the basis for agreements among 911 jurisdictions, local exchange carriers, and the ALI Database Management System Provider. However, because NENA has no authority to enforce compliance, the standards it promulgates are merely

recommendations. In fact, there are many factors that suggest that the number of lines identified by a direct count of telephone numbers in the ALI Database is likely to be significantly different from the number of voice grade equivalent lines provided by each local exchange carrier.

9. When a carrier provisions local service, the carrier is responsible for electronically populating the ALI Database with the Master Street Address Guide ("MSAG") valid address of the customer. Although NENA guidelines set forth the criteria for telephone numbers to be included in the ALI Database, each carrier populates the database using its own protocol for record creation, maintenance, and deletion.

10. For example, NENA guidelines recommend that carriers not include telephone numbers for classes of service that do not generate dial tone, such as direct inward dial ("DID") numbers. However, when a customer with a large volume of numbers migrates to AT&T's services from another carrier, AT&T has no easy way to determine the details of the customer's PBX configuration. Because it is not clear which numbers should be included, in order to implement the purposes of the E911 system (to assure prompt and accurate access to emergency assistance), AT&T takes the conservative approach of including *all* ported numbers, including DID numbers. As a result, AT&T's listings in the ALI

Database include a significantly larger number of telephone numbers than the actual facilities needed to provide emergency service.[1]

11. Telephone numbers can also remain in the ALI Database even though the number is no longer active. NENA guidelines provide mechanisms for the removal of inactive telephone numbers, but inactive numbers can remain in the ALI database without interfering with the accurate operation of the service. Therefore, it is not uncommon for a carrier not to delete a particular number concurrently with its termination, instead completing the function on a regular interval of up to several months, or even yearly. Further, because database reconciliations and audits are not required, it is possible for deactivated numbers to remain undetected for extended periods.

12. Another factor that undermines the accuracy of an ALI database count for the purposes Qwest identifies is that a number of CLECs have withdrawn from the market and abandoned telephone numbers. Not surprisingly, these carriers have few resources, and even less motivation, to do the work necessary to ”clean up” the ALI database, and consequently blocks of inactive numbers remain in the database.

13. All of the above factors would cause the E911 database to overstate the number of lines served by CLECs. In addition, because of the critical link between carriers’

[1] AT&T network engineering standards allow for up to 500 DID numbers for each DS-1 facility purchased by a customer. AT&T does not include DID numbers when a customer uses telephone numbers from a block of numbers assigned to AT&T that was originally provisioned by AT&T, because in those cases, AT&T has specific information regarding the status of each

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ALI database population and the delivery of emergency services to their customers, carriers, such as AT&T, will lean toward over-inclusion rather than under-inclusion of numbers in the E911 database. For all of these reasons, the E911 database is an inaccurate and unreliable measure of competition in the local market.

14. In a related context, the ILECs have recognized the fallacy of using telephone numbers as a gauge for actual end users. In the Commission's proceeding regarding outage reporting, *New Part 4 of the Commission's Rules Concerning Disruptions to Communications*, ET Docket No. 04-35, the comments filed on May 25, 2004 by the Bells and other ILECs, including Qwest, established that "assigned telephone numbers" should not be used as the threshold for reporting requirements because assigned numbers do not correlate to actual lines in service. For example, Verizon noted in its comments (p. 9) that "many customers subscribe to blocks of numbers that they activate only as needed, such as when the number of stations behind a PBX is increased, or that they retain to prevent other customers from using certain telephone numbers." It therefore "has no way of knowing how many numbers the customer is actually using." *Id.*, pp. 9-10.

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number.

Qwest stated (p. 6) that "'Assigned telephone numbers' bear no correlation with end users."[2] As USTA summarized, "LECs have no way of knowing how many numbers a customer is using. LECs can measure only the number of lines and trunks that they deliver to a customer's premise. More specifically, the number of assigned numbers does not correlate with the number of customers or access lines." USTA Comments, p. 17.

[2] *See also* BellSouth Comments, p. 7 ("the quantity of 'assigned' numbers held by a carrier has little correlation to the number of customers or customer lines"); SBC Comments, p. 4 ("The number of 'assigned telephone numbers' has little correlation to the number of customers or customer lines in use . . . ."); Sprint Comments, p. 10 ("Neither the LECs nor the IXCs can determine such impact simply by referring to assigned telephone numbers"); Verizon Comments, p. 9 (Basing outage reports on the number of telephone numbers that are affected by an outage "would be an inherently unreliable measure of the impact of the outage").

## VERIFICATION

I, Mark J. Lancaster, declare under penalty of perjury that the foregoing is true and correct. Executed on August 16, 2004.

/s/ Mark J. Lancaster

Mark J. Lancaster

## VERIFICATION

I, Dale C. Morgenstern, declare under penalty of perjury that the foregoing is true and correct. Executed on August 16, 2004.

/s/ Dale C. Morgenstern

Dale C. Morgenstern